IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.13735 of 2008
SURENDRA CHAUHAN (NONIA)
Versus
THE STATE OF BIHAR
with
Cr.Misc. No.17335 of 2008
RAM BACHAN SAH(KHATTIC)RAM BACHAN KHATIK
Versus
THE STATE OF BIHAR
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2 2.5.2008 Heard learned counsel for the petitioners and learned APP for the State.

The FIR is under sections 20, 21 and 23 of the N.D.P.S.Act.

The allegation is that at 2.00 AM the informant saw 8-10 persons crossing the bridge with plastic bags of ganja on their back. He challenged, asked them to stop. On seeing the police some of the persons ran away after throwing away the ganja and some of them jumped into the canal with ganja bags. The police could arrest only three persons including the petitioners. It appears that eight bags of ganja were recovered from the place the total weight of which was 75 kgs.

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Learned counsel submitted that both the petitioners are in custody since 8.6.2007. they have no criminal antecedent. He further submitted that Bhola Chauhan (Nonika) has been

allowed bail by this Court in Cr.Misc.no. 55346/07 and the case of the petitioners is similarly situated. He also submitted that copy of the seizure list was not given to the petitioners.

In the facts and circumstances of the case, the abovenamed two petitioners, namely Surendra Chauhan (Nonia) and Ram Bachan Sah (Khattic) Ram Bachan Khatik are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, FTC-IV, Bettiah, West Champaran in Tr.no.42/07 arising out of Semra (Chiutaha) PS case no.53/07.

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AI **(M.Saran, J)**